

AN ORDINANCE **101460**

AUTHORIZING PAYMENT IN THE AMOUNT OF \$27,887.59 TO BRACEWELL & GIULIANI, L.L.P. FOR LEGAL SERVICES IN CONNECTION WITH THE CHERRY STREET DRAINAGE #15B PHASE II PROJECT (\$758.83), CULEBRA DRAINAGE #58F PROJECT (\$513.15), ESCALON STREET #1008 DRAINAGE PROJECT (\$269.26), HI-LIONS DRAINAGE #80 PHASES III & V PROJECT (\$8,612.08), HOUSTON STREET – WALTERS TO ONSLOW MPO PROJECT (\$201.69), LADDIE PLACE DETENTION POND PROJECT (\$243.00), MILITARY DRIVE WEST TO REED ROAD PROJECT (\$1,936.48), OCTAVIA DRAINAGE #63, PHASE II, PART I PROJECT (\$144.45), PECAN VALLEY – I.H. 10 TO J STREET MPO PROJECT (\$149.28), PLEASANTON ROAD – SOUTHCROSS TO MAYFIELD PROJECT (\$5,837.06), SAN ANTONIO RIVER IMPROVEMENTS PROJECT (\$498.11), SOUTH FLORES DRAINAGE #70-70A PHASE II-PART 3 PROJECT (\$134.16), WESTERN AVENUE DRAINAGE #74 IIIA PROJECT (\$4,703.75), W.W. WHITE-RIGSBY TO LORD ROAD PROJECT (\$1,649.93), AND THE FAY PHASE I COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROJECT (\$2,236.36), LOCATED IN VARIOUS CITY COUNCIL DISTRICTS, FROM GENERAL OBLIGATIONS OF THE CITY AND COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS.

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WHEREAS, the City Council has approved the following City Projects: (i) Cherry Street Drainage #15B Phase II Project, located in Council District 2; (ii) Culebra Drainage #58F Project, located in Council District 7; (iii) Escalon Street #1008 Drainage Project, located in Council District 3; (iv) Hi-Lions Drainage #80 Phases III and V, located in Council District 3; (v) Houston Street – Walters to Onslow Metropolitan Planning Organization (MPO) Project, located in Council District 2; (vi) Laddie Place Detention Pond Project, located in Council District 1; (vii) Military Drive West to Reed Road Project, located in Council District 6; (viii) Octavia Drainage #63, Phase II, Part 1 Project, located in Council District 5; (ix) Pecan Valley – I.H. 10 to J Street Metropolitan Planning Organization (MPO) Project, located in Council District 2; (x) Pleasanton Road – Southcross to Mayfield Project, located in Council District 3; (xi) San Antonio River Improvements Project, located in Council District 1; (xii) South Flores Drainage #70-70A Phase II – Part 3 Project, located in Council District 4; (xiii) Western Avenue Drainage #74 IIIA Project, located in Council District 9; (xiv) W.W. White – Rigsby to Lord Road Project, located in Council District 2; and (xv) the Fay Phase I Community Development Block Grant (CDBG) Project, located in Council District 5 (the “Projects”); and

WHEREAS, in connection with said Projects, there exists a need for legal services pertaining to real estate acquisitions; and

WHEREAS, it is the City Council's intention to authorize payment to Bracewell & Giuliani, L.L.P. for such legal services; **NOW THEREFORE**:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The total amount of \$27,887.59 is hereby authorized to be encumbered and made payable to Bracewell & Giuliani, L.L.P., for the Projects indicated.

SECTION 2. The budget in Fund Number 45099000, 1985 General Obligation Drainage Bonds, Project Definition 23-00612, Cherry Street Drainage #15B Phase II Project, shall be revised transferring \$758.83 from WBS Element 23-00628-05-02-05 entitled "Construction Conversion," to WBS Element 23-00612-03-02-03, GL Account 5201050.

SECTION 3. The budget in Fund Number 45099000, 1985 General Obligation Drainage Bonds, Project Definition 23-00612, Cherry Street Drainage #15B Phase II Project, shall be revised by decreasing WBS Element 23-00628-05-02-05 entitled "Construction Conversion," by \$758.83 and increasing WBS Element 23-00612-03-02-03, GL Account 5201050 by \$758.83 and such amount is authorized to be encumbered and made payable to Bracewell & Guiliani, L.L.P. when a purchase order is issued.

SECTION 4. The amount of \$513.15 is appropriated in Fund Number 45099000, Project Definition 26-00935, GL Account 5201050, WBS Element 23-00935-03-02-03, entitled "Legal" in connection with the Culebra Drainage # 58F Phase II Community Development Block Grant (CDBG) Project. CDBG funds will be transferred from Fund Number 28028000, Internal Order 190000000618, GL Account 6102100 entitled "Interfund Transfer Out" to Fund Number 45099000, WBS Element 23-00935-90-10, GL Account 6101100 entitled "Interfund Transfer In."

SECTION 5. The budget in Fund Number 45099000, 1994 General Obligation Drainage Improvement Bonds, Project Definition 23-00668, Escalon Street #1008 Drainage Project, shall be revised transferring \$269.26 from WBS Element 23-00558-05-02-05 entitled "Construction Conversion," to WBS Element 23-00668-03-02-03, GL Account 5201050.

SECTION 6. The budget in Fund Number 45099000, 1994 General Obligation Drainage Improvement Bonds, Project Definition 23-00668, Escalon Street #1008 Drainage Project, shall be revised by decreasing WBS Element 23-00558-05-02-05 entitled "Construction Conversion," by \$269.26 and increasing WBS Element 23-00668-03-02-03, GL Account 5201050 by \$269.26 and such amount is authorized to be encumbered and made payable to Bracewell & Guiliani, L.L.P. when a purchase order is issued.

SECTION 7. Funds in the amount of \$8,612.08 are hereby authorized to be transferred from Project Definition 23-00598, Hi Lions Drainage #80 Phases III & V Project, WBS Element 23-00598-05-03, GL Account 5201140 entitled "Construction Contingency," to WBS Element 23-00598-03-02-03, GL Account 5201050 entitled "Legal" and such amount is authorized to be encumbered and made payable to Bracewell & Guiliani, L.L.P. when a purchase order is issued.

SECTION 8. The budget in Fund Number 43099000, 1996 Certificates of Obligation Bonds, Project Definition 23-00917, Houston Street – Walters to Onslow MPO Project, shall be revised transferring \$201.69 from WBS Element 23-00738-01-02 entitled "Design Costs," GL Account 5201170 to WBS Element 23-00917-03-02-03, GL Account 5201050.

SECTION 9. The budget in Fund Number 43099000, 1996 Certificates of Obligation Bonds, Project Definition 23-00917, Houston Street – Walters to Onslow MPO Project, shall be revised by decreasing WBS Element 23-00738-01-02 entitled "Design Costs," GL Account 5201170 by \$201.69 and increasing WBS Element 23-00917-03-02-03, GL Account 5201050 by \$201.69 and such amount is authorized to be encumbered and made payable to Bracewell & Guiliani, L.L.P. when a purchase order is issued.

SECTION 10. The amount of \$243.00 is appropriated in Fund Number 48003000, 2003 Storm Water Revenue Bonds, RB-00078-01-01-60, GL Account 6102100 – Interfund Transfers Out, entitled "Transfer to 23-00120-90-10." The amount of \$243.00 is authorized to be transferred to Fund Number 48099000.

SECTION 11. The budget in Fund Number 48099000, Project Definition 23-00120, Laddie Place Regional Storm Water Facility Phase I Project, shall be revised by increasing WBS Element 23-00120-90-10, entitled "TRF FR RB-00078-01-01-60," GL Account 6101100 – Interfund Transfers In, by the amount of \$243.00.

SECTION 12. The amount of \$243.00 is appropriated in Fund Number 48099000, Project Definition 23-00120, Laddie Place Regional Storm Water Facility Phase I Project, WBS Element 23-00120-03-02-03, GL Account 5201050 and is authorized to be encumbered and made payable to Bracewell & Guiliani, L.L.P. when a purchase order is issued.

SECTION 13. The budget in Fund Number 43099000, 1996 Certificates of Obligation Bonds, Project Definition 23-00341, Military Drive West to Reed Road Project, shall be revised transferring \$1,936.48 from WBS Element 23-00738-05-02-01 entitled "City Construction," GL Account 5201170 to WBS Element 23-00341-03-02-03, GL Account 5201050.

SECTION 14. The budget in Fund Number 43099000, 1996 Certificates of Obligation Bonds, Project Definition 23-00341, Military Drive West to Reed Road Project, shall be revised by decreasing WBS Element 23-00738-05-02-01 entitled "City Construction," GL Account 5201170 by \$1,936.48 and increasing WBS Element 23-00341-03-02-03, GL Account 5201050 by \$1,936.48 and such amount is authorized to be encumbered and made payable to Bracewell & Guiliani, L.L.P. when a purchase order is issued.

SECTION 15. The budget in Fund Number 45099000, 1999 General Obligation Drainage Bonds, Project Definition 23-00911, Octavia Drainage #63 Phase II, Part I Project, shall be revised transferring \$144.45 from WBS Element 23-00720-05-03 entitled "Construction Contingency," GL Account 5201050 to WBS Element 23-00911-03-02-03, GL Account 5201050.

SECTION 16. The budget in Fund Number 45099000, 1999 General Obligation Drainage Bonds, Project Definition 23-00911, Octavia Drainage #63 Phase II, Part I Project, shall be revised by decreasing WBS Element 23-00720-05-03 entitled "Construction Contingency," GL Account 5201140 by \$144.45 and increasing WBS Element 23-00911-03-02-03, GL Account 5201050 by \$144.45 and such amount is authorized to be encumbered and made payable to Bracewell & Guiliani, L.L.P. when a purchase order is issued.

SECTION 17. The budget in Fund Number 45099000, 1999 General Obligation Street Improvement Bonds, Project Definition 23-00637, Pecan Valley – I.H. 10 to J Street MPO Project, shall be revised transferring \$149.28 from WBS Element 23-00824-05-03 entitled "Construction Contingency," GL Account 5201140 to WBS Element 23-00637-03-02-03, GL Account 5201050.

SECTION 18. The budget in Fund Number 45099000, 1999 General Obligation Street Improvement Bonds, Project Definition 23-00637, Pecan Valley – I.H. 10 to J Street MPO Project, shall be revised by decreasing WBS Element 23-00824-05-03 entitled "Construction Contingency," GL Account 5201140 by \$149.28 and increasing WBS Element 23-00637-03-02-03, GL Account 5201050 by \$149.28 and such amount is authorized to be encumbered and made payable to Bracewell & Guiliani, L.L.P. when a purchase order is issued.

SECTION 19. The amount of \$5,837.06 is appropriated in Fund Number 43172000, 2002 Certificates of Obligation Bonds, CO-00030-01-01-64, GL Account 6102100 – Interfund Transfers Out, entitled "Transfer to 23-00757-90-09." The amount of \$5,837.06.00 is authorized to be transferred to Fund Number 43099000.

SECTION 20. The budget in Fund Number 43099000, Project Definition 23-00757, Pleasanton Road – Southcross to Mayfield Project, shall be revised by increasing WBS Element 23-00757-90-09, entitled "TRF FR CO-00030-01-01-64," GL Account 6101100 – Interfund Transfers In, by the amount of \$5,837.06.

SECTION 21. The amount of \$5,837.06 is appropriated in Fund Number 43099000 Project Definition 23-00757, Pleasanton Road – Southcross to Mayfield Project, WBS Element 23-00757-03-02-03, GL Account 5201050 and is authorized to be encumbered and made payable to Bracewell & Guiliani, L.L.P. when a purchase order is issued.

SECTION 22. The amount of \$498.11 is appropriated in Fund Number 48003000, 2003, Storm Water Revenue Bonds, RB-00078-01-01-61, GL Account 6102100 – Interfund Transfers Out, entitled "Transfer to 23-00946-90-15." The amount of \$498.11 is authorized to be transferred to Fund Number 48099000.

SECTION 23. The budget in Fund Number 48099000, Project Definition 23-00946, San Antonio River Improvements Project, shall be revised by increasing WBS Element 23-00946-90-15, entitled "TRF FR RB-00078-01-01-61," GL Account 6101100 – Interfund Transfers In, by the amount of \$498.11.

SECTION 24. The amount of \$498.11 is appropriated in Fund Number 48099000, Project Definition 23-00946, San Antonio River Improvements Project, WBS Element 23-00946-03-02-03, GL Account 5201050 and is authorized to be encumbered and made payable to Bracewell & Guiliani, L.L.P. when a purchase order is issued.

SECTION 25. The budget in Fund Number 45099000, 1987 General Obligation Drainage Bonds, Project Definition 23-00408, South Flores Drainage #70-70A Phase II, Part 3 Project, shall be revised transferring \$134.16 from WBS Element 23-00598-05-03, entitled "Construction Contingency," GL Account 5201140 to WBS Element 23-00408-03-02-03, GL Account 5201050.

SECTION 26. The budget in Fund Number 45099000, 1987 General Obligation Drainage Bonds, Project Definition 23-00408, South Flores Drainage #70-70A Phase II, Part 3 Project, shall be revised by decreasing WBS Element 23-00598-05-03 entitled "Construction Contingency," GL Account 5201140 by \$134.16 and increasing WBS Element 23-00408-03-02-03, GL Account 5201050 by \$134.16 and such amount is authorized to be encumbered and made payable to Bracewell & Guiliani, L.L.P. when a purchase order is issued.

SECTION 27. The budget in Fund Number 45099000, 1985 General Obligation Drainage Bonds, Project Definition 23-00628, Western Avenue Drainage #74 IIIA Project, shall be revised transferring \$4,703.75 from WBS Element 23-00628-05-02-05, entitled "Construction Conversion," GL Account 5201140 to WBS Element 23-00628-03-02-03, GL Account 5201050.

SECTION 28. The budget in Fund Number 45099000, 1985 General Obligation Drainage Bonds, Project Definition 23-00628, Western Avenue Drainage #74 IIIA Project, shall be revised by decreasing WBS Element 23-00628-05-02-05 entitled "Construction Conversion," GL Account 5201140 by \$4,703.75 and increasing WBS Element 23-00628-03-02-03, GL Account 5201050 by \$4,703.75 and such amount is authorized to be encumbered and made payable to Bracewell & Guiliani, L.L.P. when a purchase order is issued.

SECTION 29. The amount of \$1,649.93 is appropriated in Fund Number 43171000, 2001 Certificates of Obligation Bonds, CO-00029-01-01-57, GL Account 6102100 – Interfund Transfers Out, entitled "Transfer to 23-00828-90-08." The amount of \$1,649.93 is authorized to be transferred to Fund Number 43099000.

SECTION 30. The budget in Fund Number 43099000, Project Definition 23-00828, W.W. White – Rigsby to Lord Project, shall be revised by increasing WBS Element 23-00828-90-08, entitled "TRF FR CO-00029-01-01-57," GL Account 6101100 – Interfund Transfers In, by the amount of \$1,649.93.

SECTION 31. The amount of \$1,649.93 is appropriated in Fund Number 43099000, Project Definition 23-00828, W.W. White – Rigsby to Lord Project, WBS Element 23-00828-03-02-03, GL Account 5201050 and is authorized to be encumbered and made payable to Bracewell & Giuliani, L.L.P. when a purchase order is issued.

SECTION 32. The amount of \$2,236.36 is appropriated in Fund Number 26099000, Project Definition 23-00802, GL Account 5201050, and WBS Element 23-00802-03-02-03, entitled “Legal” in connection with the Fay Avenue Phase I Community Development Block Grant (CDBG) Project. A budget adjustment is required to decrease WBS Element 23-00802-05-03, GL Account 5201140 entitled “Construction Contingency” and increase WBS Element 23-00802-03-02-03 GL Account 5201050 entitled “Legal” in the amount of \$2,236.36.

SECTION 33. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager’s designee, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.


SECTION 34. This Ordinance shall become effective on and after the 9th day of October, 2005.

PASSED AND APPROVED this 29th day of September, 2005.


M A Y O R
PHIL HARDBERGER

ATTEST:


City Clerk

APPROVED AS TO FORM: 
City Attorney